



Linda S. Adams
*Secretary for
Environmental
Protection*

California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, P.E., Chair

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<http://www.waterboards.ca.gov/centralvalley>



**Arnold
Schwarzenegger**
Governor

5 February 2009

Mr. Jim Goodwin, City Manager
City of Live Oak
9955 Live Oak Blvd.
Live Oak, CA 95953

CERTIFIED MAIL
7005 0390 0006 3973 0082

NOTICE OF PUBLIC HEARING AND TENTATIVE CEASE AND DESIST ORDER AMENDMENT

FOR CITY OF LIVE OAK WASTEWATER TREATMENT PLANT SUTTER COUNTY

TO ALL CONCERNED PERSONS AND AGENCIES:

On 5 February 2009, the Central Valley Regional Water Quality Control Board (Regional Water Board) adopted a new Cease and Desist Order (CDO) for the City of Live Oak (Discharger) Wastewater Treatment Plant. The new CDO grants the Discharger a compliance schedule and provides an exemption from mandatory minimum penalties for violations of copper, cyanide, biochemical oxygen demand (BOD), total suspended solids, coliform and diazinon effluent limitations. However, the CDO does not provide interim limitations for these constituents as required by the California Water Code for monetary penalty exemption. Enclosed is the tentative CDO Amendment proposing to add performance-based interim limitations to the CDO adopted on 5 February 2009 (Order number not issued yet), as necessary for the Regional Water Board to exempt the Discharger from monetary penalties.

Any comments or recommendations on the enclosed tentative CDO Amendment must be submitted to the Regional Water Board office no later than 5:00 p.m. on **9 March 2009** for us to give full consideration to your comments prior to the 23/24 April 2009 Regional Water Board meeting.

A Notice of Public Hearing (Notice) concerning the tentative CDO Amendment is also enclosed. Regulations require that the Discharger post one (1) copy of the Notice at the nearest city hall or county courthouse, one (1) copy at the post office nearest to the Facility (if allowed), and one (1) copy at the public entrance to the Facility no later than **6 February 2009**. Proof of posting, using the enclosed form, shall be filed with this office by **20 February 2009**.

To conserve resources, this letter transmits a copy of the tentative CDO Amendment to the Discharger only. Interested persons may download the documents from the Regional Water Board's website at http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/. Copies of the draft document may also be obtained by contacting or visiting the Regional Water Board's

California Environmental Protection Agency

office at 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114, weekdays between 8:00 a.m. and 5:00 p.m.

If you have any questions regarding the tentative CDO Amendment, please contact me at (916) 464-4828 or dcmessina@waterboards.ca.gov.

Original Signed By

DIANA MESSINA
Senior Engineer

Enclosures (3): Tentative Cease and Desist Order Amendment (Discharger Only)
Notice of Public Hearing
Proof of Posting Form (Discharger Only)

cc: Mr. Doug Eberhardt, U.S. Environmental Protection Agency, Region IX, San Francisco
US Army Corp of Engineers, Sacramento
US Fish and Wildlife Service, Sacramento
US National Marine Fisheries Service, Santa Rosa
Mr. Phil Isorena, State Water Resources Control Board, Sacramento
Department of Water Resources, Central District, Sacramento
State Office of Historical Preservation, Sacramento
Office of Drinking Water, Department of Public Health, Sacramento
Department of Public Health, Environmental Management Branch, Sacramento
Ms. Carol Oz, Department of Fish & Game, Region II, Rancho Cordova
Sutter County Environmental Health Services
Sutter County Human Services
Mr. Steve Macaulay, California Urban Water Agencies, Sacramento
Mr. Michael Harrison, ECO:LOGIC, Roseville
Mr. Tom Lando, Lando and Associates, 111 Mission Ranch Blvd. Suite 100, Chico, 95926
Mr. Richard McHenry, California Sportfishing Protection Alliance (via email)